

EXHIBIT L

**MICHAEL REDMOND
SCHIFF V CITY OF SAN FRANCISCO**

**September 27, 2021
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<p>1 UNITED STATES DISTRICT COURT 2 NORTHERN DISTRICT OF CALIFORNIA 3 4 Frederick (Ric) Schiff; Glenn 5 Brakel; Alice Dicroce; Joseph 6 Emanuel; Brian Greer; Clayton 7 Harmston; Steven Haskell; Micah 8 Hope; Daniel Kelly; Alexander 9 Lentz; Brandon McKelley; Gerald 10 Newbeck; David O'Keeffe; 11 Christopher Ritter; Steven 12 Uang; and Thomas Walsh, 13 14 Plaintiffs, 15 16 vs. Case No. 17 4:19-cv-03260-YGR 18 City and County of San Francisco; 19 Greg Suhr, individually; William 20 (Bill) Scott, individually; and 21 DOES 1-20, 22 Defendants. 23 24 REMOTE DEPOSITION OF 25 MICHAEL REDMOND CONFIDENTIAL PURSUANT TO PROTECTIVE ORDER September 27, 2021 9:04 a.m. San Francisco, California REPORTED BY: Michelle D. Knowles, CSR No. 8979, RPR, CRR, CRC, CCRR APPEARING REMOTELY FROM SANTA CLARA COUNTY, CALIFORNIA</p>	<p>1 INDEX TO EXAMINATION 2 3 WITNESS: MICHAEL REDMOND 4 EXAMINATION PAGE 5 BY MR. MULLANAX..... 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
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<p>1 APPEARANCES OF COUNSEL 2 For Plaintiffs: 3 LAW OFFICE OF M. GREG MULLANAX 4 M. GREG MULLANAX, ESQ. (via videoconference) 5 2140 N. Winery Avenue 6 Suite 101 7 Fresno, California 93703 8 559.420.1222 9 greg@lawmgm.com 10 11 For Defendants: 12 OFFICE OF THE CITY ATTORNEY 13 PETER A. COWNAN, ESQ. (via videoconference) 14 CAROLINE PAGE, ESQ. (via videoconference) 15 1390 Market Street 16 Fifth Floor 17 San Francisco, California 94102 18 415.554.3800 19 peter.cowan@sfcityatty.org 20 caroline.page@sfcityatty.org 21 22 Also Present: 23 FREDERICK (RIC) SCHIFF (via videoconference) 24 ALICE DICROCE (via videoconference) 25 MICAH HOPE (via videoconference) GERALD NEWBECK (via videoconference)</p>	<p>1 INDEX TO EXHIBITS 2 3 EXHIBIT DESCRIPTION MARKED 4 Exhibit 1 Q-50 Secondary Criteria 5 Recommendations 6 (CCSF 008624 - CCSF 008636) 16 7 Exhibit 2 Q-60 Secondary Criteria 8 Recommendations 9 (CCSF 008756 - CCSF 008760) 27 10 Exhibit 3 Q-80 Captains Secondary Criteria 11 Recommendations 12 (CCSF 008822 - CCSF 008823) 36 13 Exhibit 4 Q-50 Sergeants Secondary Criteria 14 Recommendations 15 (CCSF 020781 - CCSF 020788) 39 16 Exhibit 5 Q-60 Lieutenant Secondary Criteria 17 Recommendations 18 (CCSF 020829 - CCSF 020833) 50 19 Exhibit 6 Q-80 Captain Secondary Criteria 20 Recommendations 21 (CCSF 020859) 51 22 Exhibit 7 Email thread with the subject "Re: 23 completed - Lieutenant secondary 24 review" 25 (CCSF 030514 - CCSF 030515) 54</p>



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<p style="text-align: right;">Page 5</p> <p>1 MICHAEL REDMOND, 2 having been first duly sworn, was examined and testified 3 as follows: 4 EXAMINATION 5 BY MR. MULLANAX: 6 Q. Okay. I guess we're ready to proceed. 7 Chief Redmond, my name is Greg Mullanax, and I 8 represent the plaintiffs in this case; and we're here to 9 take your deposition today. And I have a couple 10 questions to ask before we really get started. 11 Have you ever been deposed before? 12 A. Yes, I have. 13 Q. Do you remember how many times you've been 14 deposed? 15 A. Twice. 16 Q. Okay. I'm sure this deposition will be very 17 similar to the other ones you've experienced. We're just 18 here today to find out what you know about the facts of 19 this case. And so it's important that if -- if I ask you 20 a question and you don't understand it, please let me 21 know, and I'll be happy to reask it. 22 Do you understand that? 23 A. Yes. 24 Q. Okay. And if you need to take a break for any 25 reason, just let us know; and we'll take a break. So</p>	<p style="text-align: right;">Page 7</p> <p>1 field training, that's when I was a patrol officer. 2 First assignment, Tenderloin. 3 Q. Okay. And how long were you in that position? 4 A. So field training, about -- I think it was 5 about 12 weeks, and then you moved on to probationary 6 period. And then I was transferred to Potrero Station 7 for one year -- a little over one year where I did my 8 probation. 9 Q. Okay. How long were you at the Potrero 10 Station? 11 A. I was at Potrero for about 12 to 14 months. 12 Q. Where did you go after that? 13 A. To Northern. 14 Q. How long were you at Northern? 15 A. Let's see. I was at Northern for about 16 nine years. 17 Q. And do you recall approximately what time 18 period that was? 19 A. From 1996 to 2005. 20 Q. Okay. And when you were at Northern, were you 21 a patrol officer the whole time? 22 A. Yes. 23 Q. Okay. What did you do after you left 24 Northern? 25 A. I was promoted to sergeant, and I was</p>
<p style="text-align: right;">Page 6</p> <p>1 we're not -- hopefully, I don't think we'll be here that 2 long today. But if you do want to take a break, just let 3 us know; and we'll be happy to take a break at any time. 4 A. Okay. 5 Q. And have you -- and you realize your testimony 6 today is under oath just as if you were testifying in 7 court before a judge and a jury? 8 A. Yes. 9 Q. Okay. Did you review any documents in 10 preparation for your testimony today? 11 A. I reviewed some of our department bulletins in 12 regards to promotions as well as my assignment sheet just 13 to see where I was at over the last couple of years in 14 different assignments. 15 Q. Okay. Now, you're listed -- I just want to 16 get into a little bit of your background for the record. 17 What is -- when were you hired by the SFPD? 18 A. I started the academy in November of 1994. 19 Q. Okay. And what was your first assignment with 20 the police department? 21 A. My field training assignment was Tenderloin 22 Police Station. 23 Q. Okay. And, at some point, did you become a 24 patrol officer? 25 A. Yes. Once I graduated the academy, finished</p>	<p style="text-align: right;">Page 8</p> <p>1 transferred to Park Station. 2 Q. And what year were you promoted to sergeant? 3 A. 2005. 4 Q. Okay. And how long were you at Park Station? 5 A. I was at Park Station for approximately 6 13 months. Back then, we did a probationary period 7 similar to an officer; so a little over one year. 8 Q. And then where did you go? 9 A. I went to Ingleside Station. 10 Q. How long were you at Ingleside? 11 A. I was at Ingleside for a little over three 12 years. 13 Q. And were you a sergeant the whole time you 14 were assigned to Ingleside? 15 A. Yes. 16 Q. Okay. And, at some point, were you promoted 17 to lieutenant? 18 A. Yeah. In 2009, I was promoted to lieutenant. 19 Q. And were you still at Ingleside, or did you 20 transfer somewhere else? 21 A. I transferred to Bayview Station. 22 Q. Okay. How long were you at Bayview Station? 23 A. I was at Bayview until about 2012. 24 Q. And then what happened? 25 A. Then I was transferred as a lieutenant to the</p>



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<p style="text-align: right;">Page 9</p> <p>1 academy.</p> <p>2 Q. Okay. And what did you do at the academy?</p> <p>3 A. I was a lieutenant in charge of the day-to-day</p> <p>4 operations of some of the training as well as the recruit</p> <p>5 classes.</p> <p>6 Q. Let me -- I apologize for this. I want to</p> <p>7 jump back.</p> <p>8 When you were hired back in 1994, do you</p> <p>9 recall who the police chief was at the time?</p> <p>10 A. I believe it was Tony Ribera, Chief Ribera.</p> <p>11 Q. Okay. And so how long were you at the</p> <p>12 academy?</p> <p>13 MR. COWMAN: Which time, Greg?</p> <p>14 MR. MULLANAX: Oh, I guess when he was</p> <p>15 lieutenant.</p> <p>16 THE WITNESS: I believe it was about six to</p> <p>17 eight months. It's not on the sheet here, but...</p> <p>18 BY MR. MULLANAX:</p> <p>19 Q. And -- and what did you do after that?</p> <p>20 A. I was promoted to captain. I became the</p> <p>21 captain of Southern Police Station.</p> <p>22 Q. And do you recall what year that was?</p> <p>23 A. It was either the end of 2012, beginning of</p> <p>24 2013.</p> <p>25 Q. And how long were you a captain?</p>	<p style="text-align: right;">Page 11</p> <p>1 correct?</p> <p>2 A. Correct.</p> <p>3 Q. When was that promotion?</p> <p>4 A. September of 2019, I believe.</p> <p>5 Q. And so Chief Scott, he made that promotion; is</p> <p>6 that correct?</p> <p>7 A. Correct.</p> <p>8 Q. And currently is he your direct supervisor,</p> <p>9 Chief Scott?</p> <p>10 A. Yes.</p> <p>11 Q. And what are your current duties as assistant</p> <p>12 chief?</p> <p>13 A. So I oversee four bureaus. I have four deputy</p> <p>14 chiefs that work for me: One at the airport; one in</p> <p>15 field operations, which is our ten district stations;</p> <p>16 investigations bureau, which is all of our investigative</p> <p>17 units; and special operations bureau, which houses our</p> <p>18 operations center, tactical team, homeland security, the</p> <p>19 motorcycle units, all the support units of patrol.</p> <p>20 Q. And are you involved in the promotional</p> <p>21 process?</p> <p>22 A. Yes.</p> <p>23 Q. What's your -- how are you involved in the</p> <p>24 promotional process?</p> <p>25 Well, can I clarify that? I didn't give you a</p>
<p style="text-align: right;">Page 10</p> <p>1 A. For about a year and a half.</p> <p>2 Q. And did you get promoted after that?</p> <p>3 A. Yeah. I was promoted to commander.</p> <p>4 Q. So was that -- when you were promoted to</p> <p>5 commander, was that in about 2014 or '15?</p> <p>6 A. Yeah. It was June of 2014.</p> <p>7 Q. And when you were the commander, where were</p> <p>8 you assigned at that point?</p> <p>9 A. I had the Metro Division, which was a</p> <p>10 patrol -- field operations bureau; and Metro Division</p> <p>11 consisted of five -- I oversaw five district stations.</p> <p>12 Q. And how long were you in that position?</p> <p>13 A. For about a -- about a year.</p> <p>14 Q. And then were you promoted at that point?</p> <p>15 A. Yeah. I was promoted to deputy chief.</p> <p>16 Q. And how long were you deputy chief?</p> <p>17 A. For about four years.</p> <p>18 Q. And you were at special operations bureau at</p> <p>19 that point?</p> <p>20 A. I started -- yeah. I started in field</p> <p>21 operations bureau and then was transferred to special</p> <p>22 op- -- two assignments. Special operations bureau was my</p> <p>23 last assignment as a deputy chief.</p> <p>24 Q. Okay. And then you were promoted to your --</p> <p>25 assistant chief, the title you currently hold; is that</p>	<p style="text-align: right;">Page 12</p> <p>1 time frame.</p> <p>2 Let me just give you just some background</p> <p>3 about our case. We have -- our case alleges -- we have</p> <p>4 problems with the promotional process, essentially,</p> <p>5 starting in October of 2017. I think that was the first</p> <p>6 round of sergeant promotions and lieutenant promotions.</p> <p>7 And in 2017, you were still deputy chief; is</p> <p>8 that correct?</p> <p>9 A. Yes.</p> <p>10 Q. And were you involved in the promotional</p> <p>11 process back in October of 2017?</p> <p>12 A. Yes.</p> <p>13 Q. What was your involvement in the promotional</p> <p>14 process back in 2017?</p> <p>15 A. So I would have been part of -- as a deputy</p> <p>16 chief, part of the secondary criteria review.</p> <p>17 Q. What do you mean by "secondary criteria</p> <p>18 review"?</p> <p>19 A. So through the promotional process, we have --</p> <p>20 where the candidates submit their secondary criteria,</p> <p>21 which is similar to a résumé. And there's a panel of</p> <p>22 assistant chiefs and deputy chiefs that sit and review</p> <p>23 the packets and would give a recommendation to the chief</p> <p>24 of police whether the person was qualified to hire or not</p> <p>25 qualified.</p>

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<p style="text-align: right;">Page 13</p> <p>1 Q. Now, did you actually get all the secondary 2 criteria packets submitted by each promotional candidate? 3 MR. COWNAN: Object to the form. 4 Do you mean, like, did he physically get a 5 copy of them? 6 MR. MULLANAX: Yes. 7 Q. In other words, the things that they submitted 8 for their secondary criteria packet, did the -- 9 Chief Redmond, did you actually get copies of those? 10 Does that make sense? 11 MR. COWNAN: Chief, if you understand the 12 question, you can answer it. 13 THE WITNESS: Yeah. So we don't get copies, 14 but we do get the physical packet. It is passed to each 15 person on the board to review. 16 BY MR. MULLANAX: 17 Q. So you would review the packet, then transfer 18 it to the next person who is going to review it? 19 A. Correct. 20 Q. And then based on that information, then you 21 make a recommendation to the chief; is that correct? 22 A. Yes. 23 Q. And it's -- is it up to the chief to make the 24 decision on the promotional -- well, let me ask that 25 again.</p>	<p style="text-align: right;">Page 15</p> <p>1 Q. Was there ever a general meeting between those 2 of you that were reviewing the secondary criteria and 3 Chief Scott about the promotions? 4 A. No. 5 Q. So you just submit your recommendations to the 6 chief, and that's the end of your involvement in the 7 promotional process? 8 A. Yes. 9 MR. MULLANAX: I'm going to pull up an exhibit 10 real quick. 11 You know, now I forgot. Peter -- let's see. 12 Oh, here we go. Let's see. 13 Can y'all see that document there? 14 MR. COWNAN: We can. 15 MR. MULLANAX: Okay. 16 MR. COWNAN: Well, let me make sure because 17 it's irrelevant for me. 18 Chief Redmond, can you -- well, now we've lost 19 it, Greg. 20 MR. MULLANAX: Oh, is it there? I'm sorry. 21 MR. COWNAN: We're seeing your entire screen, 22 your desktop. 23 MR. MULLANAX: Okay. Let me -- did that fix 24 it? 25 MR. COWNAN: Correct, it did.</p>
<p style="text-align: right;">Page 14</p> <p>1 Is it up to the chief to make the promotional 2 decisions? 3 MR. COWNAN: I'm going to object to the point 4 that it calls for speculation. 5 But, Chief, to the extent you understand that, 6 please answer. 7 THE WITNESS: Yes, it is up to the chief. 8 BY MR. MULLANAX: 9 Q. Okay. And, Chief Redmond, if -- when I'm 10 asking questions, I don't want you to speculate at all. 11 None of us do. If I ask you a question and you don't 12 know the answer or you have no personal knowledge, just 13 let us know. 14 A. Okay. 15 Q. Okay. Now, the -- do you make comments on -- 16 do you ever talk to the chief during the promotional 17 process -- like, let's talk about the 2017 time period. 18 My understanding is that Chief Scott was sworn 19 in as the police chief back in January of 2017. 20 Is that your recollection? 21 A. Yes, I believe so. 22 Q. So, in your involvement in the promotional 23 process in 2017, did you ever have any conversations with 24 Chief Scott about any of the candidates? 25 A. No.</p>	<p style="text-align: right;">Page 16</p> <p>1 MR. MULLANAX: Okay. 2 MR. COWNAN: Chief Redmond, can you see that 3 comment sheet in front of you? 4 THE WITNESS: Yes. 5 MR. MULLANAX: Okay. This is a document -- 6 it's -- I'll call it Exhibit 1, and it's CCSF 8624 7 through CCSF 8636. 8 (Exhibit 1 marked.) 9 BY MR. MULLANAX: 10 Q. Do you recognize this document? 11 A. Yes, I do. 12 Q. And what is it? 13 A. So this is a document that is provided to -- 14 was provided to me in the secondary criteria review to 15 make my recommendations and to put any comments that I 16 would have about a candidate. 17 Q. Now, on the ones, I think, on -- like, we can 18 look at the -- at the first page of it. 19 In rank number 2, there's some comments that 20 you wrote on the side. I think it says, "Strong 21 candidate. Has done some outstanding work." 22 Is that comment there based on your personal 23 knowledge? 24 MR. COWNAN: Calls for a legal conclusion. 25 But you can answer, sir.</p>

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<p style="text-align: right;">Page 29</p> <p>1 the secondary criteria and then passed them around?</p> <p>2 A. Yes.</p> <p>3 Q. Was Ben Houston involved in that meeting?</p> <p>4 A. I believe so, yes.</p> <p>5 Q. And do you recall if someone from the city</p> <p>6 attorney's office was also available by phone or was</p> <p>7 there in person?</p> <p>8 A. Yes.</p> <p>9 Q. Now, did you ever talk to Chief Scott about</p> <p>10 the -- any of the promotions pertaining to this round of</p> <p>11 lieutenants -- of the lieutenant promotions?</p> <p>12 A. No.</p> <p>13 Q. Have you ever talked to Chief Scott about</p> <p>14 promotional decisions?</p> <p>15 MR. COWNAN: At what point in time, Greg?</p> <p>16 MR. MULLANAX: Let's say during 2017.</p> <p>17 MR. COWNAN: And before, during, after the</p> <p>18 decisions?</p> <p>19 MR. MULLANAX: Yeah, before, during, or after.</p> <p>20 THE WITNESS: No.</p> <p>21 BY MR. MULLANAX:</p> <p>22 Q. Now, were you involved in the promotional</p> <p>23 process before Chief Scott became chief?</p> <p>24 A. Yes.</p> <p>25 Q. So you were involved in promotional decisions</p>	<p style="text-align: right;">Page 31</p> <p>1 Q. So did the promotional process remain the same</p> <p>2 under Chief Scott as it had been under Chief Suhr?</p> <p>3 MR. COWNAN: Object to form.</p> <p>4 But you can answer the question.</p> <p>5 THE WITNESS: Can you repeat it, please? I'm</p> <p>6 sorry.</p> <p>7 BY MR. MULLANAX:</p> <p>8 Q. Yes, sir.</p> <p>9 Did -- the promotional process that you were</p> <p>10 involved in under Chief Suhr, did it stay the same under</p> <p>11 Chief Scott?</p> <p>12 A. Yes.</p> <p>13 MR. MULLANAX: Okay. And just FYI, Ric Schiff</p> <p>14 just showed up here. So just to let you know, Peter and</p> <p>15 Caroline, that he just walked into the room.</p> <p>16 MR. COWNAN: Okay. No problem. Thank you.</p> <p>17 BY MR. MULLANAX:</p> <p>18 Q. Okay. Did you -- after the promotional</p> <p>19 process -- after the results were announced from the</p> <p>20 lieutenants -- let's say the lieutenants promotional</p> <p>21 round back in 2017, did you have any issues with the</p> <p>22 promotional process at that point?</p> <p>23 MR. COWNAN: Overbroad.</p> <p>24 But you can answer.</p> <p>25 THE WITNESS: Yes.</p>
<p style="text-align: right;">Page 30</p> <p>1 with Chief Greg Suhr; is that correct?</p> <p>2 A. Yes.</p> <p>3 MR. MULLANAX: And for the court reporter,</p> <p>4 Suhr is S-u-h-r, I believe.</p> <p>5 THE WITNESS: Yes.</p> <p>6 BY MR. MULLANAX:</p> <p>7 Q. Did you ever have -- during the promotional</p> <p>8 process under Greg Suhr, did you ever have any</p> <p>9 discussions with him about the promotional decisions?</p> <p>10 A. No.</p> <p>11 Q. So in your involvement with the promotional</p> <p>12 process under two different chiefs, has the procedure</p> <p>13 remained the same under both of them?</p> <p>14 MR. COWNAN: Object to it as to time.</p> <p>15 But go ahead.</p> <p>16 MR. MULLANAX: Well, I can rephrase that.</p> <p>17 Q. Under -- you had promotional -- you were</p> <p>18 involved in the promotional process under Chief Suhr; is</p> <p>19 that correct?</p> <p>20 A. Yes.</p> <p>21 Q. And Chief Scott; that's correct?</p> <p>22 A. Yes.</p> <p>23 Q. Were you involved in the promotional process</p> <p>24 with any other chief?</p> <p>25 A. No.</p>	<p style="text-align: right;">Page 32</p> <p>1 BY MR. MULLANAX:</p> <p>2 Q. And what issues did you have with that</p> <p>3 promotional process with the lieutenants?</p> <p>4 MR. COWNAN: Same objection.</p> <p>5 But you can answer.</p> <p>6 THE WITNESS: I just -- I think it was very</p> <p>7 frustrating, especially to a lot of the members that were</p> <p>8 not picked up. I think it was something, as a</p> <p>9 department, we looked at. The way choices were made</p> <p>10 frustrated a lot of people.</p> <p>11 But I think, ultimately, when you go into</p> <p>12 promotions, it's very tough because the -- the Rule of</p> <p>13 Ten and how many people are really -- it's almost like</p> <p>14 the number situation went away from the department, and</p> <p>15 things were looked at as a group. So I -- I feel that</p> <p>16 people were very frustrated with what happened.</p> <p>17 BY MR. MULLANAX:</p> <p>18 Q. When you say "things were looked at as a</p> <p>19 group," what do you mean by that?</p> <p>20 A. Well, I think just myself, being in this</p> <p>21 department for a long time, sort of knew how the</p> <p>22 promotional process went and how -- obviously, I went</p> <p>23 through it. But I think the -- the movement or the</p> <p>24 amount of people that may have been skipped, especially</p> <p>25 in the first or second page on a list, with the number of</p>

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<p style="text-align: right;">Page 33</p> <p>1 jobs, it wasn't something that we were -- as a</p> <p>2 department, something we had never seen before.</p> <p>3 Q. And how do you mean that, that you hadn't seen</p> <p>4 before?</p> <p>5 A. Well, I think it's -- usually, in past</p> <p>6 experience, it would be something of a discipline case</p> <p>7 where somebody was skipped. And I think members -- for</p> <p>8 whatever reason, which I don't know, members were skipped</p> <p>9 or not promoted due to other factors.</p> <p>10 Q. Do you think race had any part in that, in the</p> <p>11 promotional decisions?</p> <p>12 A. I don't think so.</p> <p>13 Q. Do you think gender had any role in the</p> <p>14 promotional decisions?</p> <p>15 A. No.</p> <p>16 Q. Did you hear complaints from officers about</p> <p>17 the promotional process after the results were announced</p> <p>18 in the lieutenants first round of promotions?</p> <p>19 A. Yes.</p> <p>20 Q. Did you hear complaints from some of the</p> <p>21 candidates that they thought race and/or gender played a</p> <p>22 part in the promotional decisions?</p> <p>23 A. I didn't have any direct conversations about</p> <p>24 that, but I think that was one of the, sort of, thoughts</p> <p>25 out there.</p>	<p style="text-align: right;">Page 35</p> <p>1 correct? I mean --</p> <p>2 A. Yeah.</p> <p>3 Q. Let me rephrase that.</p> <p>4 If you have one job available, the chief,</p> <p>5 under the Rule of Ten, could pick a candidate from 1 to</p> <p>6 10 in rank; is that correct?</p> <p>7 MR. COWNAN: Same objection.</p> <p>8 But you can answer.</p> <p>9 THE WITNESS: Yes, but there could be ties</p> <p>10 within there; so it would even have more people because</p> <p>11 of ties.</p> <p>12 BY MR. MULLANAX:</p> <p>13 Q. Okay. Did you ever hear any discussion about</p> <p>14 the SFPD or Chief Scott wanting to enlarge the applicant</p> <p>15 pool for some of these promotions?</p> <p>16 MR. COWNAN: At what point in time, sir --</p> <p>17 Greg?</p> <p>18 MR. MULLANAX: Oh, let's say 2017 or 2018.</p> <p>19 THE WITNESS: No.</p> <p>20 BY MR. MULLANAX:</p> <p>21 Q. Did you ever talk to Ben Houston about the</p> <p>22 promotional process -- or let me rephrase that.</p> <p>23 Did you ever talk to Ben Houston about the</p> <p>24 lieutenants promotions in 2017?</p> <p>25 A. No.</p>
<p style="text-align: right;">Page 34</p> <p>1 Q. Now, did Chief -- has Chief Scott ever told</p> <p>2 you that race or gender played a role in him making</p> <p>3 promotional decisions?</p> <p>4 A. No.</p> <p>5 Q. You mentioned the Rule of Ten earlier.</p> <p>6 What is the Rule of Ten?</p> <p>7 MR. COWNAN: To the extent you know, sir.</p> <p>8 THE WITNESS: So the Rule of Ten is if</p> <p>9 there's -- to what I know, if there's one job available,</p> <p>10 there's ten scores that are -- ten scores that are in</p> <p>11 play for that one job. If there are two jobs, it moves</p> <p>12 another score; and would move down the line depending on</p> <p>13 how many requisitions or jobs are available.</p> <p>14 BY MR. MULLANAX:</p> <p>15 Q. So if there are two jobs available, how far</p> <p>16 down the list can you go?</p> <p>17 MR. COWNAN: Well, object to the extent it</p> <p>18 calls for spec- -- Chief to speculate.</p> <p>19 But, sir, you can answer if you know without</p> <p>20 guessing.</p> <p>21 THE WITNESS: So it would go to Rank 11 or 12</p> <p>22 is what I believe.</p> <p>23 BY MR. MULLANAX:</p> <p>24 Q. Okay. So, in your understanding, if you have</p> <p>25 one job available, it would go from 1 to 10; is that</p>	<p style="text-align: right;">Page 36</p> <p>1 Q. Have you ever talked to Ben Houston about any</p> <p>2 results of a promotion around -- either regarding</p> <p>3 sergeants or lieutenants?</p> <p>4 A. No.</p> <p>5 MR. MULLANAX: Now, I just pulled up a Q-80</p> <p>6 Captains Secondary Criteria Recommendations.</p> <p>7 Can y'all see that on the screen?</p> <p>8 MR. COWNAN: I can.</p> <p>9 What about you, Chief Redmond?</p> <p>10 THE WITNESS: Yes.</p> <p>11 MR. MULLANAX: Okay. And I'm going to mark</p> <p>12 that as Exhibit 3.</p> <p>13 (Exhibit 3 marked.)</p> <p>14 BY MR. MULLANAX:</p> <p>15 Q. And that consists of pages CCSF 8822 through</p> <p>16 CCSF 8823.</p> <p>17 And do you recognize this document, Chief?</p> <p>18 A. Yes.</p> <p>19 Q. And what is it?</p> <p>20 A. So this is the secondary criteria for Q-80</p> <p>21 captains for the 2017 round.</p> <p>22 Q. Okay. My understanding is on the -- if I can</p> <p>23 find my list here. The first captains promotional round,</p> <p>24 I believe, was in February of 2016.</p> <p>25 Does that sound about right?</p>

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<p style="text-align: right;">Page 41</p> <p>1 A. Well, I think one of the -- well, I know 2 because after we saw the first round of promotions, I 3 felt that Chief Scott, being from -- not from this 4 department and coming in from the outside, didn't know a 5 lot of the candidates. So I felt, just as one of -- 6 being one of the people in secondary criteria, that there 7 needed to be more comments in regards to the candidates 8 for him to take a look at. 9 Q. Because Chief Scott came from the LAPD; is 10 that correct? 11 A. Yes. 12 Q. And so when he started as chief of police in 13 the San Francisco in January of 2017, he had never had 14 any employment with the San Francisco Police Department 15 at that time; is that correct? 16 A. Yes. 17 Q. So in the -- so your decision to put more 18 detail in was to inform him because he was new to the 19 department; is that correct? 20 A. Yes. 21 Q. And your comments on here appear to relate 22 exactly to what you said. The secondary criteria, you're 23 commenting on their ex- -- you know, their number of 24 years of experience and individual experience they have 25 with different things.</p>	<p style="text-align: right;">Page 43</p> <p>1 this: I think you said that there was a lot of 2 consternation amongst some of the officers after the 2017 3 promotions; is that correct? 4 A. Yes. 5 Q. Were there the same issues after the second 6 round of promotions in 2018? 7 A. I believe so. 8 Q. What kind of complaints did you hear about in 9 the 2018 promotions? 10 A. The majority of the complaints were just in 11 regards to how -- how much skipping around was done in 12 the promotional process and the reasoning behind why 13 certain people did not get jobs and other people did. 14 Q. Do you believe that any of those comments had 15 any credence? 16 MR. COWNAN: Object to overbroad. 17 But you can answer if you understand. 18 THE WITNESS: Yeah, could you repeat that? 19 I'm sorry. 20 BY MR. MULLANAX: 21 Q. Yeah. 22 Those comments that you heard complaints about 23 the promotional process where it looked like there was 24 some jumping around going on, did you think that any of 25 those complaints had merit?</p>
<p style="text-align: right;">Page 42</p> <p>1 Like, for example, if you look at page 2 -- 2 let's go down to -- see, if we look on page 2 of 3 Exhibit 4, which is CCSF 20782, we can go down to 4 number 18, David O'Keeffe. You note in there, "2016 5 incident/2018 received written reprimand for 2016 case." 6 And then if you go down to look at number 20, 7 Glenn Brakel, you wrote on here, "15 years of experience. 8 Former" -- is that "PBTF member"? 9 A. Yeah. That was a task force -- patrol bureau 10 task force that we had at the time. 11 Q. Okay. So, to your knowledge, does -- did the 12 chief -- in the 2017 and 2018 promotional process, did he 13 look at the secondary criteria packets, or do you know if 14 he just relied on your recommendations that the committee 15 gave him? 16 MR. COWNAN: Object to the form. 17 You can answer, though, if you know. 18 THE WITNESS: Yeah, I don't -- I do not know. 19 BY MR. MULLANAX: 20 Q. Did you ever hear anything -- did anybody ever 21 tell you that Chief Scott did not look at the secondary 22 criteria packets or did look at the secondary criteria 23 packets? 24 A. No. 25 Q. Were there any issues -- well, let me ask</p>	<p style="text-align: right;">Page 44</p> <p>1 MR. COWNAN: Same objections. 2 But you can answer. 3 THE WITNESS: Yeah. I think in the history of 4 at least my involvement in promotions, there were people 5 in the department that were skipped that I have no reason 6 why they were skipped. 7 BY MR. MULLANAX: 8 Q. Did you ever ask the chief about it? 9 A. No. 10 Q. Back in 2017, in November, Chief Scott made an 11 appearance at the POA meeting. 12 Did you go to that meeting? 13 A. What -- there's a lot of POA meetings. I 14 don't -- I don't recall if I was there or not. 15 Is there any other particular? 16 Q. It was around Thanksgiving in 2017, and there 17 was a lot of complaints about the promotional process 18 that had just been -- where the promotions had been 19 announced in October of 2017. And Chief Scott made an 20 appearance at the SFPOA meeting, and Chief Scott denied 21 saying this, but there were people at the meeting who 22 claim that Chief Scott said he used race and gender in 23 making promotional decisions. 24 Do you recall if you were at that meeting or 25 not?</p>

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<p style="text-align: right;">Page 45</p> <p>1 MR. COWNAN: Object to the form. It assumes 2 facts. 3 But you can answer. So the only question 4 right now is, do you remember if you were at that 5 meeting? 6 THE WITNESS: No, I don't remember. 7 BY MR. MULLANAX: 8 Q. Did you ever hear anybody say that they heard 9 Chief Scott say that he used race and gender in making 10 promotional decisions at a POA meeting? 11 A. No. 12 Q. Based on the results of the promotions in the 13 first two promotional rounds that we discussed, do you 14 believe, looking at the results of the promotions, that 15 race or gender played a part in those promotional 16 decisions? 17 MR. COWNAN: I'm going to object to the form 18 and to the extent it asks for opinion testimony. 19 But you can answer. 20 THE WITNESS: My opinion is there's probably a 21 lot of things that came into play during those 22 promotions. 23 BY MR. MULLANAX: 24 Q. When you say "a lot of things," what do you 25 mean?</p>	<p style="text-align: right;">Page 47</p> <p>1 exam consists of a written portion; is that correct? 2 A. I believe, on these tests, there was a written 3 and an oral. We have transitioned to some other tests 4 where there are full oral components, but they do have 5 somewhat of a written, I believe. 6 Q. And so back in this time period that we're 7 talking about here, 2017, 2018, 2019, what -- how much 8 weight would you give the promotional exam scores, like 9 the rankings of the candidates, in making a promotional 10 decision? 11 MR. COWNAN: You're asking when he makes a 12 recommendation? 13 MR. MULLANAX: Well, I -- what I'm asking is 14 their rank -- after they take the exams, they get ranked 15 in order, and I'm wanting to know how much importance 16 should be placed on the ranking when the chief makes 17 promotional decisions. 18 MR. COWNAN: In that case, I object on -- to 19 the form. I object on speculation, foundation, and 20 impermissible hearsay testimony -- or opinion testimony. 21 Excuse me. 22 But, Chief, if you understand the question, 23 you can answer it. 24 THE WITNESS: Okay. I'm going to ask if you 25 could restate it for me real quick. Sorry.</p>
<p style="text-align: right;">Page 46</p> <p>1 MR. COWNAN: Same -- same objections: 2 Foundation, speculation, opinion testimony. 3 But you can answer. 4 THE WITNESS: I think the amount of people 5 that were skipped and the movement on the list, the rhyme 6 or reason behind it, I could not form an opinion that it 7 was just because of race and gender. 8 BY MR. MULLANAX: 9 Q. Now, the promotional exams -- were you 10 involved in developing the promotional exams for the 2017 11 or 2018 promotions? 12 A. No. 13 Q. I guess they were given before -- let me -- 14 I'm sorry. Let me -- that was a bad question. 15 Were you involved in the development of the 16 testing materials for the -- for the promotional rounds 17 in 2017, 2018, 2019? 18 A. No. 19 Q. What is the purpose of the promotional exam? 20 A. The purpose of the exam is to test the 21 candidate on what the subject matter experts feel is 22 relevant for that person to perform on the first day in 23 that particular job, whether it's a sergeant, lieutenant, 24 or captain. 25 Q. So do you think it's -- and so the promotional</p>	<p style="text-align: right;">Page 48</p> <p>1 BY MR. MULLANAX: 2 Q. That's okay. 3 On the -- how much weight do you think the 4 rankings based on the promotional exam should be given 5 when making promotional decisions? 6 MR. COWNAN: Same objections. 7 THE WITNESS: I think the rankings on our 8 promotional tests are important and are -- should be 9 considered, obviously. I think that has been one of the 10 challenges with this promotional process as it is now 11 because, usually, the ranking really gave somebody a 12 judge of when they're going to get promoted and not. And 13 when we looked at it in prior instances, really the only 14 time a chief would not promote somebody was if there was 15 some kind of discipline or current discipline that the 16 candidate wouldn't get promoted. 17 So the Rule of Ten and the things that 18 happened in -- in this era really was something new to 19 the police department. 20 BY MR. MULLANAX: 21 Q. Have -- have things changed in that regard 22 since these rounds of promotions that we've been talking 23 about? 24 MR. COWNAN: Objection to the form. 25 You can answer if you understand.</p>

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<p style="text-align: right;">Page 49</p> <p>1 Actually, I'm sorry. Greg, you've got to be</p> <p>2 more specific. I don't know what you're referring to</p> <p>3 when you say, "Have things changed?"</p> <p>4 BY MR. MULLANAX:</p> <p>5 Q. Well, has the promotional process changed</p> <p>6 since these rounds that we're talking about in terms of</p> <p>7 does it look like the promotions are being made more in</p> <p>8 rank order than they were in 2017 to 2018?</p> <p>9 MR. COWNAN: Objection. Compound.</p> <p>10 But you can answer.</p> <p>11 THE WITNESS: The last -- the rules haven't</p> <p>12 changed, but the last group of lieutenants and captains</p> <p>13 were in rank order.</p> <p>14 BY MR. MULLANAX:</p> <p>15 Q. Based on your experience in the police</p> <p>16 department since 1994, do you think that's a better</p> <p>17 result than what happened in 2017 and 2018 promotional</p> <p>18 rounds?</p> <p>19 MR. COWNAN: Object to the form. Object to</p> <p>20 hearsay, speculation, and foundation.</p> <p>21 You can answer.</p> <p>22 Oh, excuse me. Not hearsay. I keep saying</p> <p>23 hearsay; I mean opinion testimony.</p> <p>24 You can answer.</p> <p>25 THE WITNESS: Yes, I believe it is better to</p>	<p style="text-align: right;">Page 51</p> <p>1 A. Yes, it is.</p> <p>2 Q. Okay. And this -- I'm going back to page 1 of</p> <p>3 Exhibit 5.</p> <p>4 Does this appear to be the second round? It</p> <p>5 starts with Rank 17.</p> <p>6 A. I believe so.</p> <p>7 MR. MULLANAX: Okay. And that's the</p> <p>8 lieutenant. Okay.</p> <p>9 And I've got one more. Let's see. And I'm</p> <p>10 going to show you here what I'm going to mark as</p> <p>11 Exhibit 6.</p> <p>12 (Exhibit 6 marked.)</p> <p>13 BY MR. MULLANAX:</p> <p>14 Q. And I hope I haven't messed up the exhibits,</p> <p>15 but it's a one-page document consisting of page</p> <p>16 CCSF 20859.</p> <p>17 Do you see this document?</p> <p>18 A. Yes.</p> <p>19 Q. And what is it?</p> <p>20 A. This is the Q-80 Captain Secondary Criteria</p> <p>21 Recommendation form that we use in secondary criteria for</p> <p>22 that round.</p> <p>23 Q. Okay. And this -- does it appear to you to be</p> <p>24 the 2018 -- from November 2018 captains promotion round?</p> <p>25 MR. COWNAN: Object to the extent it calls for</p>
<p style="text-align: right;">Page 50</p> <p>1 do rank order. But I also think that within the rank</p> <p>2 order, we have to look at the totality of the candidate</p> <p>3 and if they're there; and if there is a reason or -- for</p> <p>4 somebody not to get into rank order, there should be a</p> <p>5 legitimate reason.</p> <p>6 MR. MULLANAX: Okay. I'm going to pull up one</p> <p>7 more exhibit.</p> <p>8 I'm sorry. This one document, I don't know</p> <p>9 where it went. I think I've got it -- it will be a brief</p> <p>10 one once I pull it up.</p> <p>11 Okay. I'm sorry about that. I think we're on</p> <p>12 Exhibit 5 now, and I'll mark as Exhibit 5 a document</p> <p>13 that's five pages starting off with page CCSF 20829, and</p> <p>14 it goes to CCSF 20833.</p> <p>15 (Exhibit 5 marked.)</p> <p>16 BY MR. MULLANAX:</p> <p>17 Q. Can you see this, Chief Redmond?</p> <p>18 A. Yes.</p> <p>19 Q. And what is this?</p> <p>20 A. So this is the Q-60 Lieutenant Secondary</p> <p>21 Criteria Recommendations sheet that is filled out during</p> <p>22 the secondary criteria process.</p> <p>23 Q. And is this the sheet that you filled out?</p> <p>24 A. Yes.</p> <p>25 Q. And is that your handwriting on it?</p>	<p style="text-align: right;">Page 52</p> <p>1 the chief to speculate.</p> <p>2 MR. MULLANAX: Yeah, it's not dated.</p> <p>3 Q. Yeah, I don't want you to speculate, but it</p> <p>4 just starts at Rank Number 17, and I didn't know if you</p> <p>5 recognized that from the 2018 round.</p> <p>6 A. Yeah, I'm not sure. I believe it was the last</p> <p>7 round off that list of promotions just based on the rank</p> <p>8 numbers that are there, sir.</p> <p>9 Q. Okay. And is that your handwriting on there?</p> <p>10 A. Yes.</p> <p>11 Q. And you recall filling this form out?</p> <p>12 A. Yes.</p> <p>13 Q. Okay. All right. Now, do you know who Hector</p> <p>14 Sainez?</p> <p>15 A. Yes.</p> <p>16 Q. And who is Hector Sainez?</p> <p>17 A. Hector was the assistant chief. His position</p> <p>18 was chief of staff, and he worked for -- directly for</p> <p>19 Chief Scott.</p> <p>20 Q. So did you ever report to him? I mean, was he</p> <p>21 higher above you in the chain of command?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. And how long did you work under Hector</p> <p>24 Sainez?</p> <p>25 A. So I never reported to him as the assistant</p>

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<p style="text-align: right;">Page 57</p> <p>1 he met on Friday morning and his results were delivered</p> <p>2 to AC Moser.</p> <p>3 Who is AC Moser?</p> <p>4 A. So that is Assistant Chief Robert Moser who is</p> <p>5 the chief of staff currently.</p> <p>6 Q. Okay. And was he chief of staff in October of</p> <p>7 2019?</p> <p>8 A. I believe so. Yes, he was. Yes.</p> <p>9 Q. Okay. And it says, "and his results were</p> <p>10 delivered to AC Moser for Chief Scott's review and</p> <p>11 consideration while identifying his Q-80 and Q-60</p> <p>12 promotion selections."</p> <p>13 Do you know what Mr. Houston was talking about</p> <p>14 in this email?</p> <p>15 A. Yes.</p> <p>16 Q. And what was he talking about?</p> <p>17 A. So Deputy Chief McEachern could not</p> <p>18 participate in the secondary criteria for the Q-80s</p> <p>19 because his brother was a candidate. So when we did the</p> <p>20 secondary criteria that day, I think we -- my</p> <p>21 recollection is we -- based on the numbers then, we</p> <p>22 probably did it all in one day with captains and</p> <p>23 lieutenants; but he could not be part of it, so he had to</p> <p>24 do a separate secondary criteria review with Mr. Houston</p> <p>25 on the Q-60 lieutenant promotions because his brother was</p>	<p style="text-align: right;">Page 59</p> <p>1 A. Correct.</p> <p>2 Q. Okay. Now -- and then later you were promoted</p> <p>3 to lieutenant in 2009?</p> <p>4 A. Correct.</p> <p>5 Q. During the time before you were promoted to</p> <p>6 lieutenant, were there complaints made about the</p> <p>7 promotional process of the San Francisco Police</p> <p>8 Department?</p> <p>9 MR. COWNAN: Overbroad.</p> <p>10 You can answer.</p> <p>11 THE WITNESS: Yes. There's always been</p> <p>12 complaints about every promotional process in the</p> <p>13 San Francisco Police Department.</p> <p>14 BY MR. MULLANAX:</p> <p>15 Q. Do you recall what the complaints were back</p> <p>16 then around the time you were promoted to sergeant? I</p> <p>17 mean, did -- was there a belief that maybe race or gender</p> <p>18 played a role in the promotional decisions?</p> <p>19 A. No.</p> <p>20 MR. COWNAN: Same objections.</p> <p>21 THE WITNESS: Sorry.</p> <p>22 MR. COWNAN: No problem.</p> <p>23 The answer was, "No." My objection was, "Same</p> <p>24 objections," as well as relevance.</p> <p>25 Go ahead. Go ahead, Greg.</p>
<p style="text-align: right;">Page 58</p> <p>1 not part of that candidate pool. So he had to be</p> <p>2 separated from us. It was for that.</p> <p>3 MR. MULLANAX: Okay. All right. That's</p> <p>4 Exhibit 7.</p> <p>5 Peter and Caroline and Chief, can we take a</p> <p>6 five-minute break?</p> <p>7 MR. COWNAN: That's fine.</p> <p>8 MR. MULLANAX: I think I'm almost done.</p> <p>9 MR. COWNAN: That's fine, but I wouldn't -- I</p> <p>10 would suggest let's take another ten minutes just to be</p> <p>11 safe.</p> <p>12 MR. MULLANAX: Ten minutes. Okay. 10:40?</p> <p>13 MR. COWNAN: Yes.</p> <p>14 MR. MULLANAX: Okay. Thank you.</p> <p>15 MR. COWNAN: Thank you.</p> <p>16 (Recess taken.)</p> <p>17 MR. MULLANAX: All right. So we're back on</p> <p>18 the record.</p> <p>19 Q. Chief Redmond, can you hear me?</p> <p>20 A. Yes, I can.</p> <p>21 Q. Okay. So I just want to go back over some of</p> <p>22 the promotional history with the police department.</p> <p>23 So you were hired in November of 1994, and</p> <p>24 your first promotion came -- well, it was in 2005 or 2006</p> <p>25 when you were promoted to sergeant?</p>	<p style="text-align: right;">Page 60</p> <p>1 BY MR. MULLANAX:</p> <p>2 Q. Okay. Were the promotions made back in those</p> <p>3 days -- were they mostly in rank order?</p> <p>4 A. My recollection --</p> <p>5 MR. COWNAN: Same objections.</p> <p>6 THE WITNESS: Go ahead.</p> <p>7 MR. COWNAN: Go ahead, Chief.</p> <p>8 THE WITNESS: My recollection is yes, although</p> <p>9 there were people that were skipped or passed over.</p> <p>10 BY MR. MULLANAX:</p> <p>11 Q. Okay. And when Greg Suhr took over and became</p> <p>12 chief -- I'm not sure exactly what year that was, but</p> <p>13 when he became chief, was there any big change in the</p> <p>14 promotional decisions involving promotions based on rank</p> <p>15 order?</p> <p>16 MR. COWNAN: Same objections. Relevance.</p> <p>17 Overbroad.</p> <p>18 Go ahead, sir.</p> <p>19 THE WITNESS: What I at least seem to know</p> <p>20 from my experience in the positions I've been in is</p> <p>21 usually someone wasn't passed or -- passed over unless</p> <p>22 there was some type of discipline and even more current</p> <p>23 discipline because even if there was, someone could still</p> <p>24 be considered.</p> <p>25 /////</p>

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1 BY MR. MULLANAX:

2 Q. Okay. So -- and are you talking under

3 Greg Suhr, Chief Suhr?

4 A. Yes.

5 Q. Okay. Now, the first couple rounds of

6 promotions, then, or at least the first round of

7 promotions under Chief Scott, did you see a radical

8 change in that promotional process?

9 MR. COWNAN: Object to the form.

10 Go ahead, sir.

11 THE WITNESS: Yes.

12 BY MR. MULLANAX:

13 Q. And that change was based on the fact that

14 it -- the promotions got away from the rank order

15 criteria; is that correct?

16 MR. COWNAN: Well, I'm going to object on

17 calls for legal conclusion and opinion testimony.

18 But you can answer, sir.

19 THE WITNESS: Yes.

20 BY MR. MULLANAX:

21 Q. Did Chief Scott ever give an explanation for

22 why he jumped around the list in making those promotional

23 decisions and didn't go by rank order?

24 A. No.

25 Q. Did you ever bring up to Chief Scott's

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1 attention -- well, let me strike that.

2 Did you have any concerns at the time -- I

3 think you testified earlier that you did, but did you

4 have concerns at the time of the promotions in 2017 and

5 2018 that there was too much jumping around on the

6 list -- on the promotional list?

7 MR. COWNAN: Asked and answered.

8 But you can answer again.

9 THE WITNESS: No.

10 BY MR. MULLANAX:

11 Q. You -- so you didn't have concerns about that

12 or you did?

13 MR. COWNAN: I think it would be helpful if we

14 had the question read back.

15 THE WITNESS: Yeah.

16 Can you rephrase it?

17 MR. MULLANAX: Yes.

18 Madam Court Reporter, can you read that

19 question back, please?

20 (Record read.)

21 THE WITNESS: Yes, I did have concerns.

22 BY MR. MULLANAX:

23 Q. Did you express those concerns to Chief Scott?

24 A. No.

25

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ESQUIRE
DEPOSITION SOLUTIONS

Page 65

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

13 MR. MULLANAX: Okay. All right. I think

14 that's all the questions I have.

15 MR. COWNAN: Okay. I don't think we have any,

16 but let's go off the record and give us ten minutes.

17 MR. MULLANAX: Okay.

18 MR. COWNAN: All right.

19 MR. MULLANAX: All right. So we'll come back

20 at 11:00.

21 MR. COWNAN: Okay. Thank you.

22 MR. MULLANAX: All right.

23 (Recess taken.)

24 MR. COWNAN: Okay. So I think we are all

25 done. We have no redirect or follow-up.

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1 MR. MULLANAX: And I have no more questions.

2 MR. COWNAN: All right.

3 MR. MULLANAX: Thank you, Chief, for appearing

4 this morning. Thank you.

5 THE WITNESS: Thank you, Greg. Appreciate it.

6 MR. MULLANAX: Alrighty.

7 MR. COWNAN: Thank you, Chief.

8 THE WITNESS: Thank you, everybody.

9 THE REPORTER: Counsel, before we go, as to

10 confidentiality, do you want the entire transcript

11 designated "confidential"?

12 MR. COWNAN: Yes, please.

13 MR. MULLANAX: Okay. And, Mr. Cownan, do you

14 want a copy of the transcript?

15 MR. COWNAN: Yes, please.

16 THE REPORTER: Okay. Great. Thank you.

17 (The deposition concluded at 11:02 a.m.)

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1 REPORTER'S CERTIFICATION

2

3 I, Michelle D. Knowles, a Certified Shorthand

4 Reporter, do hereby certify:

5

6 That the foregoing witness was by me duly

7 sworn; that the deposition was then taken remotely before

8 me at the time and place therein set forth; that the

9 testimony and proceedings were reported stenographically

10 by me and later transcribed into typewriting under my

11 direction; that the foregoing is a true record of the

12 testimony and proceedings taken at that time; that

13 reading and signing of this transcript was not requested.

14 I further certify that I am neither counsel

15 for, nor related to, any party to said proceedings, nor


16 in any way interested in the outcome thereof.

17

18 IN WITNESS WHEREOF, I have subscribed my name,

19 this 7th day of October, 2021.

20

21 

22

23 Michelle D. Knowles, CSR No. 8979,

24 RPR, CRR, CRC, CCRR

25



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